

A regular meeting of the Board of Aldermen was held Tuesday, June 22, 2010 at 7:30 p.m. in the Aldermanic Chamber.

President Brian S. McCarthy presided; Deputy City Clerk Patricia Piecuch recorded.

Prayer was offered by Deputy City Clerk Patricia Piecuch; Alderman Pressly led in the Pledge to the Flag.

The roll call was taken with 14 members of the Board of Aldermen present; Alderman Tabacsko was not in attendance.

#### President McCarthy

Alderman Tabacsko is on business travel, and is unable to attend.

Her Honor Mayor Donnalee Lozeau and Corporation Counsel James M. McNamee were also in attendance.

#### REMARKS BY THE MAYOR

Mr. President and members of the Board, tonight I would take this opportunity to point out to you that Fitch, one of our bond rating agencies, has upgraded our bond rating from a AA+ to the highest rating of AAA. We are very excited about that and what it means.

I will share with you some of the comments that they made in their rating letter. They said the upgrade to AAA reflects the City's expanding and diverse economic base, projected positive operating results for fiscal 2010, and management's responsiveness in making appropriate spending cuts in order to maintain historical fund balance levels within city policy levels. They further stated that the City benefits from strong financial management practices as evidenced by consistently strong operating results and above-average reserves. The other point that they made was that the overall debt burden is low with rapid amortization, but is expected to increase to a more moderate level with future new money borrowings as they have taken into account all of our bond portfolio including the items on tonight's agenda.

Key rating drivers is how they define the next two points. The City's ability to maintain reserves at strong levels in order to provide financial flexibility consistent with the rating category and continuation of manageable debt levels in light of future capital needs. That is something all of us share in success of; decisions that we have made together, some decisions that were made before I was the Mayor, and some that we have just continued throughout my time here.

I can't speak about that without taking a moment to remind everybody that this is CFO Mike Gilbar's last week with us. His last day is on Friday. This success is something that should be shared with him as well. He has done a remarkable job as the City's CFO. He has put in changes that have strengthened the City, that frankly have made me a better manager as it relates to budgeting things and has given us more information when making decisions. I think the City of Nashua is stronger for him having been here, and I just wanted to extend my thanks to him.

In addition, I should let you know that one of the other people, of course, that plays a role in our bond ratings and others is our Treasurer, David Fredette, who works hand-in-hand with the CFO and myself when looking at some of the decisions to be made and making recommendations to you as a board. I wanted to tell you that he has again stepped up to the plate, Mr. Fredette, and will be taking on the Interim CFO position until we have our new CFO in place. I wanted to share that with the board tonight, and I wanted to thank you, as always, for your kind attention this evening.

RESPONSE TO REMARKS OF THE MAYORAlderman Deane

Mayor I remember back to a time when Mr. Fredette filled in as the Department of Public Works Director, and he had so much fun. I am sure he is looking forward to this challenge as well.

I would ask that we all get a copy of that letter that you just read some highlights from. When you look back in time, prior to Mayor Lozeau serving as our Mayor, we made a lot of tough decisions and we got a lot of heat for it, but we built our undesignated fund balance up, which is a real driver behind a lot of our success with our bond rating, how the agencies look at the city, as well as the job that Mr. Gilbar and the Mayor have done. I am not a fan of bonding, which you will probably find out tonight. But it is good to see the city's, even in the economic times we find our country in, the health of our reserves and the way we have been maintaining our budgeting along with the other reserve accounts that we have. I think the Mayor as well as Mr. Gilbar should be commended as well as this board for passing a policy that requires us to maintain a percentage in our undesignated fund balance as it relates to our operating budget as it is approved. We have done that, we have maintained that, and in fact we are above that, which shows the prudence this board has and some of the planning from the Mayor's Office. Thank you for the job you have done Mayor.

RECOGNITION PERIOD - NoneREADING MINUTES OF PREVIOUS MEETING AND PUBLIC HEARING

**MOTION BY ALDERMAN CLEMONS THAT THE MINUTES OF THE BOARD OF ALDERMEN MEETINGS OF MAY 18, MAY 25, JUNE 3 AND JUNE 7, 2010, BE ACCEPTED, PLACED ON FILE, AND THE READINGS SUSPENDED**  
**MOTION CARRIED**

COMMUNICATIONS – NonePERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING - NonePETITIONS

Petition for Street Acceptance: Valiant Lane

**MOTION BY ALDERMAN COX TO GRANT THE PETITION FOR STREET ACCEPTANCE FOR VALIANT LANE**  
**MOTION CARRIED**

NOMINATIONS, APPOINTMENTS AND ELECTIONS – NoneREPORTS OF COMMITTEE

Budget Review Committee .....	0517/10
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There being no objection, President McCarthy declared the report of the May 17, 2010 Budget Review Committee accepted and placed on file.

Budget Review Committee ..... 05/20/10

There being no objection, President McCarthy declared the report of the May 20, 2010 Budget Review Committee accepted and placed on file.

Budget Review Committee ..... 05/24/10

There being no objection, President McCarthy declared the report of the May 24, 2010 Budget Review Committee accepted and placed on file.

Budget Review Committee ..... 05/27/10

There being no objection, President McCarthy declared the report of the May 27, 2010 Budget Review Committee accepted and placed on file.

Budget Review Committee ..... 06/07/10

There being no objection, President McCarthy declared the report of the June 7, 2010 Budget Review Committee accepted and placed on file.

Finance Committee ..... 05/19/10

There being no objection, President McCarthy declared the report of the May 19, 2010 Finance Committee accepted and placed on file.

Finance Committee ..... 06/02/10

There being no objection, President McCarthy declared the report of the June 2, 2010 Finance Committee accepted and placed on file.

Committee on Infrastructure ..... 06/09/10

There being no objection, President McCarthy declared the report of the June 9, 2010 Committee on Infrastructure accepted and placed on file.

#### Alderman Deane

I wanted to raise a point of clarification. We received a memorandum with our packets last Friday pertaining to the proposed meeting for the Broad Street Parkway Update. Should that have been under communications or is this just a general memorandum that was sent out?

#### Alderman Cox

That is probably a good question. I had sent it out to the entire board.

#### President McCarthy

I don't know that it had to be a communication on the agenda. It was just an alert to the board that the meeting was going to be held.

Alderman Deane

I would like to go back to communications if you don't mind Mr. President. We borrowed a lot of money for this project and people are wondering what is going on. I think it would be good to make it part of the packet here because right now it is not really even a public document.

**MOTION BY ALDERMAN DEANE THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE INTRODUCTION OF A COMMUNICATION RECEIVED AFTER THE AGENDA WAS PREPARED**  
**MOTION CARRIED**

From: Jeffrey T. Cox, Chairman, Committee on Infrastructure  
Michael J. Tabacsko, Chairman, Planning and Economic Development Committee  
Re: Proposed Meeting in Order to Update Everyone on the Status of the Broad Street Parkway

**MOTION BY ALDERMAN DEANE TO ACCEPT AND PLACE ON FILE**  
**MOTION CARRIED**

Alderman Deane

Thank you Mr. President.

CONFIRMATION OF MAYOR'S APPOINTMENTS – None

UNFINISHED BUSINESS – RESOLUTIONS

**R-10-18**

Endorser: Mayor Donnalee Lozeau  
Alderman Michael J. Tabacsko  
Alderman-at-Large Barbara Pressly  
Alderman Arthur T. Craffey, Jr.  
Alderman Jeffrey T. Cox  
Alderman Kathy Vitale

**AUTHORIZING THE MAYOR TO ENTER INTO A TRANSPORTATION ENHANCEMENT AGREEMENT WITH THE STATE OF NEW HAMPSHIRE FOR THE PURPOSE OF EXPANDING THE CLOSED LOOP TRAFFIC SIGNAL SYSTEM OF THE CITY'S EXISTING TRAFFIC MANAGEMENT CENTER AND TO ACCEPT AND APPROPRIATE \$1,840,000 FOR THE PROJECT**

Given its second reading;

**MOTION BY ALDERMAN DEANE TO AMEND R-10-18 IN ITS ENTIRETY BY REPLACING IT WITH THE BLUE COPY PLACED ON OUR DESKS THIS EVENING**  
**MOTION CARRIED**

**MOTION BY ALDERMAN DEANE FOR FINAL PASSAGE OF R-10-18 AS AMENDED**

ON THE QUESTION

Alderman Deane

I don't know whether all of my colleagues are aware of it, but we looked at these 900 accounts that are on the left hand side. They were the develop a contribution accounts. When you looked at the entire CMAQ project the funding mechanism that was trying to be used didn't quite work out. If you

do the economy of scale with where all of the signals are and where the developer contributions came in that were going to be used as part of the match, it didn't equate to an even number with the dollar amounts that were in the accounts.

What the Mayor did was, correct me if I am wrong, she looked back at different areas such as Amherst Street and if there was work done on those areas in the last year that these 900 account dollars could have been used on, but instead there were monies appropriated, what was done was those accounts were back-charged and the cash out of these 900 accounts was used in its place. We took that appropriated money and it is going to now be part of the match.

That was the change that was done. The amendment you see at the bottom was what was brought in as a memorandum from Director Kenison at the Department of Public Works. This is a good project. It needs to be done. It was just a funding issue. Thank you.

Alderman Chasse

Just to keep it clear, it is \$1.84 million plus the \$460,000 or is the \$460,000 included in that \$1.8 million?

Alderman Deane

The \$460,000 would be included in that \$1.8 million. That is our match.

Alderman Chasse

Thank you.

President McCarthy

Is there any further discussion?

**MOTION CARRIED**

Resolution R-10-18 declared duly adopted as amended.

**R-10-27**

Endorsers: Alderman-at-Large Brian S. McCarthy  
Alderman Jeffrey T. Cox

**AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED  
THE AMOUNT OF SIX MILLION NINE HUNDRED AND FIFTY THOUSAND DOLLARS  
(\$6,950,000) FOR VARIOUS SCHOOL IMPROVEMENTS**

Given its second reading;

**MOTION BY ALDERMAN COX FOR FINAL PASSAGE OF R-10-27 BY ROLL CALL**

ON THE QUESTION

Alderman Pressly

How many votes are needed to implement this?

President McCarthy

Ten.

Alderman Pressly

Thank you.

Alderman Flynn

When this came forward to the Budget Review Committee, that evening there was some good discussion. I think you helped out with a lot of questions I had that evening. But I left there a little bit mixed on where I stood on this particular resolution. After the meeting I wrote an e-mail to Mr. Gilbar and wanted to understand what would be the reasoning for us to want to bond this material as opposed to using money that is currently available in the capital reserve account. I am struggling trying to understand that issue.

The City has set aside \$4.6 million in the capital reserve account. In my example to Mr. Gilbar, if \$2.7 million of this was paid from that account, if paid with cash it costs \$2.7 million. If it is paid by bond quite frankly generally a bond even in this example that we have attached to this resolution or the Broad Street Parkway generally over a 20 year bond costs us about 50% more to do it. Fifty percent on \$2.7 million would be another \$1.3 million in interest to pay off the bond. There is a state reimbursement on the principal of 30% so if you are paying interest at 50% and getting a state reimbursement for 30%, it certainly seems pretty straight forward that the best deal for the taxpayer/citizen is to use the cash that you have.

That evening there was an ongoing discussion about what else this money could be used for; Stellos, computers. I think at some point they have to set their priorities of what they want to spend that money for. If you look at the 600 account what we have set aside for capital projects for schools, over the last four years we have given them \$2.5 million. These projects haven't made the hit list, haven't made the priorities of what they wanted to do with that money. Even though I supported this at committee, I won't support this as a whole. If it fails, I will make an amendment to reduce the amounts so they can fit within the capital reserve bond. I thought it would be more appropriate, since I voted for it in committee, to explain why I am not going to vote for it at the full board level. Thank you.

President McCarthy

Is there any further discussion?

A Viva Voce roll call vote was taken which resulted as follows:

Yea: Alderman Clemons, Alderman Vitale, Alderman Craffey, Alderman Pressly, Alderman LaRose, Alderman Melizzi-Golja, Alderman Cox, Alderman Sheehan, Alderman Wilshire, Alderman McCarthy

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Nay: Alderman Deane, Alderman Chasse, Alderman Flynn, Alderman Cookson

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**MOTION CARRIED**

Resolution R-10-27 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES – None

NEW BUSINESS – RESOLUTIONS

**R-10-31**

Endorser: Mayor Donnalee Lozeau

**RELATIVE TO THE TRANSFER OF \$144,000 FROM ACCOUNT 553-45260 “STREET DEPARTMENT – ROAD SALT” INTO ACCOUNT 953-5329 “DPW SNOW REMOVAL EXPENDABLE TRUST FUND”**

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE by President McCarthy

**R-10-32**

Endorser: Mayor Donnalee Lozeau

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF UP TO \$200,000 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO SPECIAL REVENUE ACCOUNT #378-7215 “JARC – CAPITAL FY 2011” AND #378-7216 “JARC – OPERATING FY 2011”**

Given its first reading; assigned to the HUMAN AFFAIRS COMMITTEE by President McCarthy

NEW BUSINESS – ORDINANCES

**O-10-22**

Endorsers: Mayor Donnalee Lozeau

Alderman-at-Large Brian S. McCarthy

**ELIMINATING THE INCREASE IN THE MAYOR’S FY2011 SALARY**

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE by President McCarthy

PERIOD FOR GENERAL PUBLIC COMMENT

James Cutter, 86 Palm Street, Nashua

This is for all of the Aldermen. President McCarthy will not change his mind even though I have read the three laws and ordinance pertaining to building permits that prove the City has caused our problem. Two of the three laws are very serious since they are in the criminal code. I have told the city attorney we are not hiring an attorney to bring a lawsuit. H. Jackson Brown, Jr. in his life’s little instruction book has “Avoid like the plague any lawsuit.”

Another reason for avoiding the lawsuit gives me the opportunity to tell the public about the way the City has been treating us. In court, hardly anyone would know about the City admitting they were wrong. It is said you can do 100 things right, but if you do something wrong people remember that and forget the good. Thank you.

Peggy Thompson, 52 Main Street, Nashua

Thank you Alderman McCarthy. My name is Peggy Thompson. This is my husband Gary. We are downtown residents in the Jackson Falls condo. At 52 Main Street. We are big fans of all of yours. We catch most of your meetings and committee meetings so we fell like we know all of you. You don’t know us, but we know you. We give you a big thanks for all the work that you do.

We are here today to give you an especially big thanks because you solved a huge, huge problem for us. I don’t know how widespread the knowledge was, but behind our condo. on the railroad right of way there was a trailer, a truck trailer, and it attracted homeless people, and homeless people attracted young people that beat up on them. The young people attracted the older drunken people that came from the bars after hours, and it just escalated and escalated and escalated until we had a very very bad scene.

We actually had to move from our condo. to another condo. because the noise level was totally unbearable. You could not sleep at night because of all the activity back there. It finally climaxed over night one night when we had a great deal of vandalism. We had been calling the police, but we didn't have any concrete evidence of anything really happening; it was just noise and things like that. But, suddenly we had more than \$1,000 worth of damage. We were supported by a very helpful officer. Officer Densmore came and worked us through the whole thing. We were very distraught that morning when we found all of the damage and frightened because it had kept escalating. He helped us with that, and then Alderman Sheehan came over that very day, talked with us, and talked about how things work and what we needed to do to get in control and solve this problem. Then the Mayor's office took over I believe, and it was just ten days later the whole thing was just solved.

I have never seen any kind of civic organization work that well. I want to name these people that I know about. I do not know about many other people that may have participated, but Patti Rogers in the Mayor's Office and the Mayor, Alderman Sheehan, the city police including Ed Lecius, Deputy Chief Theriault and numerous, numerous officers, Nick Caggiano, and the Department of Public Works, Code Enforcement, the Community Council, and not the least of all but D & R Towing had an important part.

They came one morning, were very well organized, cleaned the whole mess up, it was totally disgusting, and they towed that tractor out of there. My first thought is I think you should take a month off and shut down, go to Louisiana and tell them how to clean up their mess because you are so well organized I think you could make a million dollars of that bounty money that is floating around and then come back and put it to good work.

Seriously, we are very grateful, and we are trying to make that condo. go. As you know we have not filled up. I assume you know with the recession we are less than half full. It is very difficult times for us, but we are working hard and your help meant a lot to us. Thank you very much. I have a letter for the Mayor and for Alderman Sheehan, and we will give one to Officer Densmore as well. Thank you.

Gary Thompson, Main Street, Nashua

I wanted to just commend you all for the fantastic job. It is obvious to me as a former engineer that somebody had to work very hard in this city to coordinate in ten days what happened because there were obviously numerous issues about who owned the trailer, where it was sitting, numerous, numerous things like that. I am extremely happy, and thank you all.

President McCarthy

On behalf of the board, thank you for your kind words.

#### REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Cookson

Thank you Mr. President. As many of you know, I was invited by the Senior Class of Nashua High School South to participate in their commencement exercise this past weekend, in particular, in the gratitude portion of that ceremony. During the portion I was presented with these carnations, and I wanted to come this evening as a representative of the Board of Aldermen and share them with each and every one of you because it was the senior class officers that wanted to recognize the Board of Aldermen. On behalf of the Nashua High School South senior class officers and their ceremony, I wanted to present to each one of you the flowers that they had presented me during the ceremony.

Alderman Flynn

Since we still have \$4.6 million in capital reserve and we have filled their top four needs, there is always a chance that could be used to help offset the tax rate so keep an eye on it.

Mr. Gilbar is leaving Friday. I don't know what kind of relationship I had with him. I actually had some fun with him. I had some experience with him dealing with the long-term plan for the waste water treatment plant, some of the contract costing sheets, but I found him not only interesting and with a nice insight, but he was kind of fun to work with I thought. I thought he had a nice personality. At least the two of us matched pretty nicely together I thought. At least from this Alderman, I wish him the very best.

Alderman Sheehan

Thank you. I would like to also echo thanking David Fredette for stepping up and will probably keep him very busy. I would like to thank Kathy Paquette who also did some homeless outreach with the people in the trailer to find a suitable transition when that situation popped up. Most I would like to thank Peggy and Gary for getting involved in a very proactive and positive way to help make the community a better place. They did it without anything other than trying to make it a better place, and they have shown up to other things since then. I am very excited to see new activists moving into the community and getting involved. They have put out some challenges that I have actually been working on for the teenagers in that area. I did want to thank them for coming tonight and the letter, but mostly for the work that you have done. We do a lot of work based on people getting involved and putting out what needs help. The more that happens, the more we can fix. I encourage others to do the same.

Alderman Deane

It has been a long week since 9 April on the baseball diamond of the city for the kids. This evening we had our finals for the Nashua Cal Ripken City Tournament. It was a game held between Murray Field at Nashua North. We were the host because we won it last year. The Nashua South Athletics took Nashua West Braves, and the Braves won the city championship 2-1. It was a game that was played in about an hour and 32 minutes, which is light speed as Alderman McCarthy can attest to. He spent many years watching his kids play ball.

We have some real young talent moving up into the high school. I have watched our players from North go to the North High School. We have a Freshman team that nobody could touch this year. That is soon to be our varsity team. We are turning out some good players and hopefully we will have better luck as the years go forward with our Class L high school championship games. We came up a little short this year, but hopefully next year the kids will be back. Thank you.

Alderman Craffey

I want to just echo Alderman Deane did a great job this past week. He is to be commended on the effort. He ran a great tournament. I happened to umpire a few games, which was nice. I want to congratulate the Nashua West Braves for their winning the city championship and having an undefeated season this year.

The second thing I want to do is thank those people who attended the Ward 4 Informational meeting last night. Thank you Alderman Cox for coming down also. There were a lot of issues discussed and hopefully we will move forward on that. Thank you.

Alderman Clemons

I want to take the opportunity to thank Mike Gilbar for the work that he has done in the city. He had some big shoes to fill with Carol Anderson, and I think he did it very well and is to be commended. I wish him the best of luck up in Vermont. I am sure Treasurer Fredette will be just as good in the interim. Thank you.

*Committee announcements – None*

ADJOURNMENT

**MOTION BY ALDERMAN DEANE THAT THE JUNE 22, 2010 MEETING  
OF THE BOARD OF ALDERMEN BE ADJOURNED  
MOTION CARRIED**

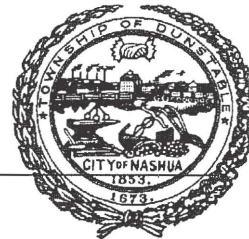
The meeting was declared adjourned at 8:04 p.m.

Attest:

Patricia Piecuch, Deputy City Clerk

## Board of Aldermen

City of Nashua  
229 Main Street  
Nashua, NH 03061-2019  
(603) 589-3030



## Memorandum

**TO:** Committee on Infrastructure Members  
Planning and Economic Development Committee Members

**CC:** Board of Aldermen  
Mayor Donnalee Lozeau  
Sue Lovering, Legislative Manager

**FROM:** Jeffrey T. Cox, Chairman, Committee on Infrastructure  
Michael J. Tabacsko, Chairman, Planning and Economic Development Committee

**DATE:** June 18, 2010

**SUBJECT:** Proposed Meeting in Order to Update Everyone on the Status of the  
Broad Street Parkway

It has been requested that we hold a public hearing/meeting to properly advertise this update to the public, as well as all of our colleagues, and that a detailed update be presented in a public forum. In the past there have been many who say that they never knew that a meeting occurred regarding the Broad Street Parkway. To the best of our ability Alderman Tabacsko, Chairman of the Planning and Economic Development Committee, and I will work with the Mayor's Office to publicize this meeting in order to maximize the public's participation.

In order for this meeting to have the most impact, it needs to be scheduled after the Environmental Impact Study is approved which currently has a deadline of July 24, 2010. This is so important as there are many things on hold awaiting the approval of this Study, and with its approval many parts of the process that may have not been able to be discussed to date then can be, making this a much more meaningful presentation for all that are seeking a quality update as to where we are in the process.

I will work with Alderman Tabacsko and the Mayor's Office to schedule a joint meeting of the Committee on Infrastructure and the Planning and Economic Development Committee to hold this public hearing/meeting in September. We chose September in order to remain in the spirit of maximum participation; we felt that holding it in one of the summer months would have many citizens, BOA members and staff possibly unable to attend due to a conflict with vacation schedules and/or nice weather local events.

Respectfully;

Jeffrey T. Cox, Chairman  
Committee on Infrastructure

Michael J. Tabacsko, Chairman  
Planning & Economic Development Committee